

me tell you if we default on Treasury bonds, it will be violating a faith that the U.S. Government has had with the rest of the world and with its taxpayers since we came into existence.

If we break that faith, we will never again regain the confidence of the markets; but, furthermore, we will hurt U.S. bondholders which include pensioners throughout this country. We will hurt homeowners who will see their mortgage rates to up, particularly those who have adjustable rate mortgages.

Mr. Speaker, you are playing with fire if you are talking about defaulting on United States debt. Do not default, or history will find you wrong.

PERMISSION FOR SUNDRY COMMITTEES AND THEIR SUBCOMMITTEES TO SIT TODAY DURING 5-MINUTE RULE

Mrs. WALDHOLTZ. Mr. Speaker, I ask unanimous consent that the following committees and their subcommittees be permitted to sit today while the House is meeting in the Committee of the Whole House under the 5-minute rule:

Committee on Commerce, Committee on Economic and Educational Opportunities, Committee on International Relations, Committee on the Judiciary, Committee on Science, and the Committee on Transportation and Infrastructure.

It is my understanding that the minority has been consulted and that there is no objection to these requests.

The SPEAKER pro tempore (Mr. HEFLEY). Is there objection to the request of the gentlewoman from Utah?

There was no objection.

□ 1030

PROVIDING FOR CONSIDERATION OF H.R. 1833, PARTIAL-BIRTH ABORTION BAN ACT OF 1995

Mrs. WALDHOLTZ. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 251 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 251

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1833) to amend title 18, United States Code, to ban partial-birth abortions. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered as read for amendment under the five-minute rule. The amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as adopted in the House and in the Committee of the Whole. At the conclusion of consideration of the bill for amendment the Committee shall rise and report

the bill, as amended, to the House. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentlewoman from Utah [Mrs. WALDHOLTZ] is recognized for 1 hour.

Mrs. WALDHOLTZ. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. BEILENSEN] pending which I yield myself such time as I may consume. During consideration of this resolution, all time yield is for the purpose of debate only.

Mr. Speaker, House Resolution 251 is a closed rule providing for consideration of H.R. 1833, the Partial-Birth Abortion Ban Act of 1995. The rule provides for 1 hour of general debate equally divided between the chairman and ranking minority member of the Judiciary Committee and provides for one motion to recommit with or without instructions.

Mr. Speaker, of all of the issues with which our society, and this Congress, grapples, perhaps none is so contentious and difficult as the issue of abortion. It is an issue on which thoughtful people of good will, who have carefully pondered and considered its various aspects, passionately disagree, each side believing it is protecting the most fundamental of rights.

And yet, as divisive as this issue is, a majority of the citizens of our Nation have sought and found some common ground. One such area of general agreement relates to use of taxpayer funds. Most Americans do not think the money they send to their Government should be used to pay for elective abortions.

Mr. Speaker, I believe that the bill that we will debate today is another area where we can find that common ground. Because through this bill we will bring to an end a practice that is so gruesome and horrific and so repugnant to the valuing of human life that the American Medical Association's Council on Legislation voted unanimously to recommend that the AMA Board of Trustees endorse this bill, with one member voting that the council members agreed that this procedure is basically repulsive.

Mr. Speaker, let me stress that this debate is not about the myriad of other issues relating to abortion. This bill is very narrowly drawn to address only this particular procedure, and that is why we have brought this bill to the floor under a closed rule. While the Rules Committee has successfully worked to drastically reduce the number of closed rules in this Congress as compared to past years, it is appropriate to limit the debate on this very narrow proposal, and not attempt to use this as a vehicle to debate the enormous range of contentious issues relating to abortion.

Mr. Speaker, we have some anomalies in our laws across the country regarding the rights and interests of chil-

dren. We recognize that children of parents who die before the child's birth should nevertheless be recognized as heirs of that parents's estate—establishing a property right for unborn children. We recognize causes of action for death or injury to unborn children—recognition of their right to be free from injury or pain. The moment a child is born any intentional injury to that child can be prosecuted as child abuse. And yet, the procedure we debate today indisputably causes pain and ends the life of partially born children—children whose bodies have been delivered and are outside the mother's womb but whose heads remain inside while the doctor ends the child's life and then finished the birth—except there is no birth now because the child is now dead. And currently, our laws do not protect these children.

Mr. Speaker, surely this is an area where we can find that elusive common ground—and prohibit a procedure used in lateterm abortions that measures the difference between life and death in inches. A procedure that one practitioner admits he has used for purely elective abortions 80 percent of the time.

Mr. Speaker, I submit that this bill is a place for us to set aside our other differences and unite in prohibiting a violent, morally repugnant practice. I urge my colleagues to support the rule and the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. BEILENSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentlewoman from Utah [Mrs. WALDHOLTZ] for yielding the customary 30 minutes of debate time to me.

Mr. Speaker, we oppose in the strongest possible terms both this closed rule and the legislation it makes in order. This is, we believe, a dangerous piece of legislation that makes it a crime to perform a medically established, safe method of completing late abortions. We oppose the bill not only because it is the first time the Federal Government would ban a form of abortion, but also because it is part of an effort to make it virtually impossible for any abortion to be performed late in a pregnancy, no matter how endangered the mother's life on health might be.

On a personal note, Mr. Speaker, if I may say so as the author of California's Therapeutic Abortion Act, which our then Governor Mr. Reagan signed into law back in 1967, which is one of the first laws in the Nation passed to protect the lives of women, I cannot express how strongly and strenuously I oppose the bill, and how profoundly sad and disturbing I find it that we seem to be poised to turn back the clock 30 years by insisting again, as we used to, that the State, and not the individual woman and her family, make this most personal and horrific decision for every family facing this tragic choice.

Mr. Speaker, we believe it is an unconstitutional infringement on the right to an abortion. It directly challenges the Roe versus Wade decision to protect a woman's right to choose; it contravenes the central holding of Roe that the Government may not ban an abortion where it is necessary for the preservation of the life or health of the mother. Under the bill, preserving the health of the mother is no defense at all, so the bill would sacrifice a woman's health to serve an extreme political agenda.

The bill is so vague that it is bound to produce a chilling effect on a broad range of abortion procedures. Physicians will think long and hard about whether they can endure practicing medicine under the constant threat of imprisonment, of civil lawsuits, and with the knowledge Congress has forbidden them from exercising their best professional judgments on behalf of their patients.

Mr. Speaker, the U.S. Congress has absolutely no business passing judgments on lifesaving medical procedures. This legislation is reprehensible in its arrogance and it is an unprecedented intrusion by the Congress into the practice of medicine and into the private lives of our Nation's families at a time when they are facing the most terrible decisions they will ever, ever have to make.

It is bad enough Members are being asked to vote on this irresponsible piece of legislation. To make matters worse, we are being required to consider this very controversial bill under a completely closed rule. There is simply no excuse. There is simply no good reason for denying Members any opportunity at all to try to cure the obvious defects in this legislation.

At the very least, if we could not consider the bill under an open rule, the majority should have allowed votes on three very critical amendments. First, the Farr-Lofgren amendment, which would have given us the opportunity to add language to the bill to create a life and health exception to the abortion ban. This is a fundamental concern, obviously, to women and their families.

Without this exception, Mr. Speaker, the bill will force women and their physicians to resort to procedures that may be more dangerous to the woman's health than the method banned. This amendment would permit Members to cast a vote that respects the paramount importance of women's health and future fertility.

We also believe strongly the amendment offered by the gentlewoman from Connecticut [Mrs. JOHNSON], should have been made in order. Her amendment would have created a life exception to the abortion ban. We heard yesterday in the Committee on Rules extremely compelling testimony about how critical this exception is.

The bill before us contains a very narrow affirmative defense for cases where the banned procedure was the

only one that would have saved the woman's life. This is not a life exception at all. It is only an affirmative defense, not an exception to the ban. It shifts the burden of proof to the doctor when he is already under indictment, already in court, already forced to have undergone lengthy and expensive legal proceedings. The Johnson amendment is extremely important, and Members should have been allowed the opportunity to debate it and to vote on it.

Finally, Mr. Speaker, the amendment by the gentleman from North Carolina [Mr. WATT], which would have returned the burden of proof in these cases to the Government, where it belongs, should have been allowed.

As the gentleman from North Carolina testified, the burden of proof in criminal cases is always on the Government. This bill upsets that time-honored legal standard by requiring the defendant, in this case the physician, to prove that the procedure was necessary to save a woman's life, and that no other procedure was available. This basic and fundamental standard of law should not be reversed in this bill. This is a great disservice not only to the medical people involved, but to our entire legal system. Mr. Speaker, we frankly find it outrageous that the gentleman from North Carolina [Mr. WATT], was not allowed to offer this very basic, very necessary amendment, which we believe the Members in their wisdom would have seen fit to adopt.

Mr. Speaker, this legislation before us is an uncalled for expansion of the Federal Government's power. It is one more step in the move to end a woman's access to safe and legal abortions. It is so broadly written it will surely prevent physicians from performing those lifesaving late-term abortions that are being performed because of deformities that prevent the fetus' survival or because a woman's life, health, or future reproductive capacity may be severely threatened.

We strongly oppose the rule before us and the bill it makes in order. We urge defeat of the rule.

Mr. Speaker, I reserve the balance of my time.

Mrs. WALDHOLTZ. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. SOLOMON], the chairman of the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, there are five good reasons for granting a closed rule for the Partial-Birth Abortion Ban Act. Here they are:

The act pictured here in these photographs, is, in the words of the American Medical Association's Legislative Council, basically repulsive.

The Rules Committee crafted this rule in a bipartisan fashion. Some Members voiced support for the addition of a life-of-the-mother amendment to be allowed to this legislation. The reason that this closed rule makes no

provision for that is simple: The bill already permits a physician to perform a partial-birth abortion if he reasonably believes that it is necessary to save the life of the mother, and that no other procedure would suffice for that purpose.

Mr. Speaker, even the most ardent opponents of partial-birth abortion would not wish to allow women's lives to be endangered.

But make no mistake: Partial-birth abortions are being performed for many other elective reasons. According to the National Abortion Federation a national coalition of abortionists, late-term abortions are performed for fetal indications, lack of money or health insurance, social crises, or lack of knowledge about human reproduction. One abortionist even stated that he performed nine partial-birth abortions because the unborn baby had a cleft lip.

Mr. Speaker, this repulsive procedure is the act of a culture of death. Even at the turn of the century, American suffragettes recognized abortion as "child murder", in the words of Susan B. Anthony. Along with Elizabeth Cady Stanton, another one of the organizers of the women's right-to-vote movement, whose 75th anniversary we celebrate this year, Susan B. Anthony also wrote, "When a woman destroys the life of her unborn child, it is a sign that, by education or circumstances, she has been greatly wronged."

Let us not continue to offer partial-birth abortions to women as a solution to real-life problems. In the spirit of our American suffragettes, support the rule and the Partial-Birth Abortion Ban Act of 1995. Your conscience will make you glad you did.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, indeed this is a very, very tragic day and decision, and this rule is even more tragic, because it closes the door on the life or health of the mother. This is a closed rule, and it says that this procedure cannot be used for the life or health of the mother. This is in violation of Roe versus Wade, which says States can put all sorts of restrictions on late term abortions, and I certainly support that, but they cannot restrict them when it comes to life or health of the mother.

□ 1045

So if this rule goes forward and we are not allowed to bring the life of the mother and all of the, I think, justice that that brings with it to this floor, I am appalled that we have shut down that plea.

Mr. Speaker, people will say that the life of the mother is protected in this bill. That is absolutely wrong. All this bill allows is, after a doctor is arrested in a criminal offense, the doctor then has the burden of proof to prove that

there was no other way that they could do this, and that is a very difficult burden of proof. And who in the world is going to submit to being arrested first. So the life of the mother is given very secondary status here.

But let me read from the California Medical Society's 38,000 doctors. They say, in their letter to this body,

An abortion performed in the late trimester of pregnancy is extremely difficult for everyone involved, and we wish to clarify we are not advocating the performance of elective abortions in this late stage of pregnancy. However, when serious fetal anomalies are discovered late in a pregnancy or a pregnant woman develops life-threatening medical conditions inconsistent with the continuation of that pregnancy, abortion, however heart wrenching, may be medically necessary. And in such cases the procedure described in this bill would be outlawed, and it would prohibit all sorts of medical benefits and the chance to give safer alternatives to her by maintaining uterine integrity, reducing blood loss, and other potential complications,

including death.

Mr. Speaker, how can we turn our back on that? Never, never have we outlawed a medical procedure or criminalized it, and here we are doing it, even if it is for the life of the mother. Vote "no" on this rule.

The information referred to above is included for the RECORD as follows:

CALIFORNIA MEDICAL ASSOCIATION,
San Francisco, CA, October 24, 1995.

RE. H.R. 1833.

Hon. SAM FARR,

U.S. House of Representatives, Washington, DC.

DEAR REPRESENTATIVE FARR: The California Medical Association is writing to express its strong opposition to the above-referenced bill, which would ban "partial-birth abortions." We believe that this bill would create an unwarranted intrusion into the physician-patient relationship by preventing physicians from providing necessary medical care to their patients. Furthermore, it would impose an horrendous burden on families who are already facing a crushing personal situation—the loss of a wanted pregnancy to which the woman and her spouse are deeply committed.

An abortion performed in the late second trimester or in the third trimester of pregnancy is extremely difficult for everyone involved, and CMA wishes to clarify that it is not advocating the performance of *elective* abortions in the last stage of pregnancy. However, when serious fetal anomalies are discovered late in a pregnancy, or the pregnant woman develops a life-threatening medical condition that is inconsistent with continuation of the pregnancy, abortion—however heart-wrenching—may be medically necessary. In such cases, the intact dilation and extraction procedure (IDE)—which would be outlawed by this bill—may provide substantial medical benefits. It is safer in several aspects than the alternatives, maintaining uterine integrity, and reducing blood loss and other potential complications. It also permits the parents to hold and mourn the fetus as a lost child, which may assist them in reaching closure on a tragic situation. In addition, the procedure permits the performance of a careful autopsy and therefore a more accurate diagnosis of the fetal anomaly. As a result, these families, who are extremely desirous of having more children, can receive appropriate genetic counseling and more focused prenatal care and testing in future pregnancies. Thus, there are nu-

merous reasons why the IDE procedure may be medically appropriate in a particular case, and there is virtually no *scientific* evidence supporting a ban on its use.

CMA recognizes that this type of abortion procedure performed late in a pregnancy is a very serious matter. However, political concerns and religious beliefs should not be permitted to take precedence over the health and safety of patients. CMA opposes any legislation, state or federal, that denies a pregnant woman and her physician the ability to make medically appropriate decisions about the course of her medical care. The determination of the medical need for, and effectiveness of, particular medical procedures must be left to the medical profession, to be reflected in the standard of care. It would set a very undesirable precedent if Congress were by legislation fiat to decide such matters. The legislative process is ill-suited to evaluate complex medical procedures whose importance may vary with a particular patient's case and with the state of scientific knowledge.

CMA urges you to defeat this bill. The patients who would seek the IDE procedure are already in great personal turmoil. Their physical and emotional trauma should not be compounded by an oppressive law that is devoid of scientific justification.

Sincerely,

EUGENE S. OGDON, II, M.D.,

President.

Mrs. WALDHOLTZ. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Speaker, I think the record should be very clear that in the past, prior to Roe versus Wade, abortion was illegal and unborn children were protected in most of the States and it was the doctors that were prosecuted, the abortionists, the quacks, who were doing those abortions. So the previous speaker's statement simply is not true.

Mr. Speaker, the vote on this rule boils down to one simple question. Will our discussion and our votes today be about the procedure known as partial birth abortion or will the organized pro-abortion forces succeed again in diverting the debate and muddying the waters?

The professional abortionists and the paid representatives of the abortion industry desperately want to avoid a congressional debate on what actually happens in this procedure or any other method of abortion for that matter. They already know better than anyone else the gruesome details about every method of abortion. The abortion lobby also knows that most Members of Congress who generally vote on their side of the issue, like most Americans, are really not pro abortion in their heart of hearts.

Mr. Speaker, they know that today, if this rule is adopted, the abortion debate will shift from the abstract to the real. They know that the 23 year cover-up by the multibillion dollar abortion industry, with the complicity of many in the media, will be over and history will be made.

For the first time ever we will directly confront the violence of what the abortionist actually does. For the first time ever we will directly confront the child abuse called legal

abortion and say yes or no. If this rule is adopted Members of Congress who have sincere differences about abortion will be faced with one important question and only one: Whether this procedure, which inflicts a death so cruel that it would never be inflicted on a convicted murderer, so cruel that it would surely be a crime to inflict such torture on a dog, is too cruel to be inflicted on a child.

Mr. Speaker, the abortion industry knows that it can never win unless it deflects attention away from itself, away from the abortion procedures and on to something else. So this industry and its supporters are particularly infuriated when anyone threatens to describe an abortion procedure in detail. They attack as dangerous, an extremist, anyone who would describe such a procedure either with words or with pictures. So they know if this rule is adopted, if we have a fair and honest and thorough discussion today, not about side issues, but about the partial birth abortion procedure itself, the abortion debate will forever change.

Americans will see that the real extremists are not the people who insist on calling attention to the grizzly details of abortion, such as dismemberment of the unborn child, including injections of high concentrated salt solutions and other kinds of poisons that chemically burn and then kill the baby, or this particular method, a brain sucking method of abortion. They will see that the real extremists are those who actually do these heinous procedures and want to keep it a secret.

The dangerous person is not the one who shows us the pictures or who describes abortions, the dangerous person, the child abuser, is the one depicted in the picture, the person holding the scissors at the base of the baby's skull.

Mr. Speaker, Dr. Martin Haskel, one of the leaders in trying to promote this method who has actually done hundreds of these partial birth abortions, said in a recorded interview that 80 percent of the partial birth abortions are elective abortions, abortions on-demand, not life of the mother abortions, which again this bill would allow. Dr. Haskel describes it this way. These are his words. "The surgeon forces the scissors into the base of the skull. Having safely entered the skull, he spreads the scissors to enlarge the opening. The surgeon then removes those scissors and introduces a suction catheter into the hole and evacuates the skull contents. That is the brain of an unborn baby. Evacuates the skull contents." How dehumanizing.

Mr. Speaker, let us have a real debate on this issue today. Abortion methods and the coverup that has gone on for so long must end. Abortion is child abuse. This is a particularly heinous form of that child abuse. Why are so many good people on the other side

and on this side, that I know and respect, defending this kind of abuse against children?

I urge Members to vote for the Canady bill. Vote for this rule. We need to end this legalized child abuse. These children are precious. We have to look at life and birth really as an event that happens to each and every one of us. In this particular bill we are talking about a baby who is half born. The feet are literally out of the mother's womb. Vote for the Canady amendment and vote for this rule.

Mr. BEILENSEN. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Ohio [Mr. HALL], my good friend.

(Mr. HALL of Ohio asked and was given permission to revise and extend his remarks.)

Mr. HALL of Ohio. Mr. Speaker, I want to thank my friend, the gentleman from California [Mr. BEILENSEN], a gentleman, a good legislator, and a very fine man for yielding time to me.

Mr. Speaker, I stand up as a sponsor of this legislation, actually I am proud to be an original cosponsor.

While abortions, except to save the mother's life, are wrong for those of us who believe in life, this particular procedure is doubly wrong. It requires a partial delivery and involves pain to the baby.

Mr. Speaker, you will hear the medical details of these abortions from other witnesses, but I simply lend my support to the bill as one who ascribes to a moral code and common sense. A compassionate society should not promote a procedure that is gruesome and inflicts pain on the victim. We have humane methods of capitol punishment. We have humane treatment of prisoners. We even have laws to protect animals. It seems to me we should have some standards for abortion as well.

Many years ago surgery was performed on newborns with the thought that they did not feel pain. Now we know they do feel pain. According to Dr. Paul Ranalli, a neurologist at the University of Toronto, at 20 weeks a human fetus is covered by pain receptors and has 1 billion nerve cells—more than us, since ours start dying off with adolescence. Regardless of the arguments surrounding the ethics of the procedure, it does seem that pain is inflicted.

Finally, Mr. Speaker, I do not want to discuss a bill relating to abortion without saying that we have a deep moral obligation to improving the quality of life for children after they are born. I am a Member of Congress who is opposed to abortion. But, I could not sit here and honestly debate this subject with a clear conscience if I did not spend a good portion of my time on hunger and trying to help children and their families achieve a just life.

We need to promote social policies that ensure the mother and child will receive adequate health care, training and other assistance that will, in turn,

enable them to become productive members of society. We have not done a good job so far, and I am afraid to say, this House has been unraveling social programs all too easily. Until our Nation makes a commitment to offering pregnant women and their children a promising future, I am afraid the demand for abortion will not subside.

Enough is enough. I'm glad we have a very clean bill in front of us. The vote is clean—up or down. Yes or no. No vagueness, no cloudiness to the issue. No chance to say my vote will be a definite maybe. If there's one thing this Congress ought to do this year is stop this very reprehensible and gruesome technique of abortion. We treat dogs better than this. Vote yes on this bill.

Mrs. WALDHOLTZ. Mr. Speaker, I yield 4 minutes to the gentleman from Kentucky [Mr. BUNNING].

(Mr. BUNNING of Kentucky asked and was given permission to revise and extend his remarks.)

Mr. BUNNING of Kentucky. Mr. Speaker, the title of this bill which we debate today includes the ultimate in gory contradictions—partial birth-abortion. Unfortunately, this contradictory term accurately depicts this horrendous abortion procedure in which a viable child is pulled partially from the womb only to be killed inches from life. It goes beyond repulsive. It goes beyond grotesque.

H.R. 1833 would prohibit abortionists from committing this horrible medical procedure. While some of my colleagues might suggest this is the first step in overturning Roe versus Wade, that is not the case at all. I wish we were considering legislation to do away with abortion altogether, but this bill doesn't do that. This is simply a bill to prohibit one particularly despicable method of abortion.

As a father of 9 children and a grandfather to 28, I have had a lot of experience in the wonders of new life being brought into this world. When a baby is born, it is the most innocent of creatures, its hands reach out for something to hold, its leg stretch and kick with energy, and its cry is filled with life.

Compare this to what occurs during a partial-birth abortion. The baby exits the uterus, its hands extend to hold its mother, its legs kick wildly in the air as the child attempts to breathe, but its first breath will never come. As registered nurse, Brenda Pratt Schafer, of Dayton, OH, who has witnessed this procedure describes it:

The doctor kept the baby's head just inside the uterus. The baby's little fingers were clasping and unclasping, and his feet were kicking.

Then the doctor stuck the scissors through the back of his head, and the baby's arms jerked out in a flinch, a startled reaction, like a new baby does when he thinks that he might fall.

Abortion has always been a controversial issue in this body. There are so many strong differences of opinion involved—differences of opinion about

when life begins and differences of opinion about the point beyond which life should be protected.

But this procedure—the partial-birth abortion—is so grotesque—so inhuman—that I can see no way at all that any rational person could defend it.

Join me in doing what is right by supporting the partial birth abortion ban act.

□ 1100

Mr. BEILENSEN. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. CONYERS], the distinguished ranking Democratic member on the Committee on the Judiciary.

(Mr. CONYERS asked and was given permission to revise and extend his remarks.)

Mr. CONYERS. Mr. Speaker, this vote against the rule is very important.

I urge all Members to vote against this rule. It is a sham.

Despite all the rhetoric on open rules, we get the door slammed shut when it comes to the most important issue of all: life and death.

Because that is what this bill is about. It says that even when a mother is in danger of losing her life, she may not undergo a late-term abortion, even if the physician says it is necessary to save her life.

That issue of life and death of the mother is thus relegated to the 5 minutes in a motion to recommit. That is an insult to this minority and it is an insult to women.

The language that a threat to a mother's life is an "affirmative defense" is also a sham in the bill. Anyone familiar with how the legal system works knows that this means a doctor could still be arrested, prosecuted, have to retain an attorney, suffer through a trial, before he could even suggest the defense of life and death necessity.

This bill is not written with the interests of the American family in mind, but rather represents a cynical attempt to exploit a highly sensitive and personal issue.

We learned at the hearings that third trimester abortions are incredibly rare—less than one one-hundredth of 1 percent of abortions are performed after 24 weeks. Only three doctors in the entire United States are known to offer abortions during this time period.

We also learned that abortion late in a pregnancy typically occurs under the most tragic of circumstances—the fetus may be severely disfigured and have little chance of long-term survival, or a mother may have contracted a serious disease which did not exist at the beginning of the pregnancy.

Ironically, the so-called D&X procedure sought to be outlawed by this bill is very often the safest procedure from the mother's perspective, and that the terms of the bill are so vague that they are likely to inhibit all third trimester abortions.

Despite these concerns, the Republicans are rushing through a bill that goes against the very principles they purport to stand for in a crude effort to take political advantage of the very difficult choices facing American families.

How else can we explain a bill that would—for the very first time—federalize the regulation of abortion, a matter traditionally left to the discretion of the States? How else can we explain a bill that would decimate the traditional doctor-patient privilege and shred constitutional protection of a woman's health? And how else can we explain the creation of a new tort action, with no dollar caps whatsoever? The sponsors are so intent on using the civil justice system to inhibit third trimester abortions that they would authorize lawsuits by men who have committed rape or incest.

Vote against the rule, please.

Mrs. WALDHOLTZ. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut [Mrs. JOHNSON].

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise in strong opposition to this rule and urge my colleagues to defeat it. This will be the first time that this Congress will address the subject of abortion without clearly protecting the life of the mother.

I went to the Committee on Rules with an amendment that would very narrowly protect the life of the mother. It was very clear. It would just allow the physician to take into account preservation of the life of the mother. Never have we addressed this issue without clearly protecting the life of the mother.

We should not abrogate our allegiance to women, facing the most terrible personal tragedy any of us could be called upon to face, without protecting her life, without allowing her and her husband to protect her life. Voting "no" on this rule will not kill the bill. It will merely allow the Committee on Rules to return to this House a bill with a rule that will allow us to consider the two amendments that would assure that a woman's life and reproductive future can be taken into account as she and her physician and husband decide how best to deal with a level of tragedy most of us will never experience.

Men and women of this Congress, if it were your daughter, would you not want her life, her reproductive hopes and dreams, protected? Would you compound her agony? Would you compound her peril? Vote "no" on this rule. The Committee on Rules can bring back the bill with the right rule, so that we will have an opportunity to discuss fully the issues that are at stake here both for the woman and for the child. I urge a "no" vote.

Mr. BEILENSEN. Mr. Speaker, I yield 1 minute to the gentleman from Maryland [Mr. WYNN].

Mr. WYNN. Mr. Speaker, this is a bill with very good intentions, but this is a terrible rule. As a Member, I am offended that we cannot have a true de-

bate. The procedure that has been described as a partial birth abortion is abhorrent, it is repugnant, it is gruesome. But that is not the only issue. It seems to me that we have to logically and in all fairness consider the life of the mother. This rule does not allow us to do it.

They say, well, we have an affirmative defense. That means that the doctor has to be arrested, he is in the process of prosecution, he has been humiliated he has the expenses, and then, yes, he gets to defend himself and say I made a decision on the mother's behalf. That is not the way this bill ought to operate.

We ought to have the opportunity to debate not whether we ought to have the procedure, because I do not want the procedure. What we ought to debate is whether we ought to consider the life and the reproductive future of the mother as we make this decision.

The gentlewoman from Utah said that this is an important issue. It is an important issue. It is not a fiscal issue. It is a moral and an ethical issue. It is an issue on which we ought to have a full debate and not a closed rule.

Mr. BEILENSEN. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Texas [Mr. EDWARDS].

Mr. EDWARDS. Mr. Speaker, in 6 weeks my wife will have our first child. I cannot put into words the joy that she and I share together. For months this baby has been at the center of our hearts and our hopes and our dreams and our prayers.

One of those prayers is that this little baby comes into the world with perfect health. But if for any reason our child has physical or mental disabilities, we will love that child and nurture it even more. But God forbid, if our physician in the next several weeks tells my wife that our baby for whatever reason has no chance of life, and that terminating this pregnancy was the best way to save my wife, my love one's life, and her ability to have children, to have the joy that some of you have already had, then that difficult choice should be my wife's and mine to make with her doctor, not this Congress' choice to make.

No politician, no pollster, no interest group, so election should determine that choice for my wife and for me and our family.

If my wife's life or her ability to have more children were to be at risk, I would want her doctor to be able to consider whatever procedure best protects her and that ability to have children.

What so offends me about this bill is that a physician could be sent to prison for saving my wife's life. Let me repeat that, because it is incredulous, but it is true. Under this bill, a physician could be sent to prison for saving my wife's life. That is wrong, that is immoral, that is unconscionable.

No Member of this House has the right to put the life of my wife or her ability to let us share in the joy that you have shared in in having children.

No one in this House, no one in any Congress has the right to put that risk of my wife's life to task.

Yesterday morning I talked to our physician, the person that we hope will deliver a health baby in just a few weeks. He told me that this bill as written could force him to choose in an emergency between risking his patient's life, my wife's life, or his going to prison. This Congress has no right to put that choice before any physician, to make a doctor choose between keeping his oath as a doctor or going to prison.

This bill is not about saving the lives of babies. It is about risking the lives of mothers and their chance to have babies. This bill is not about protecting babies from late-term abortions. Look at it. Read it. The fact is this bill does not prohibit late-term abortions, not a single one. It deals with procedure.

What this bill does do, though, is allow Members of Congress, in our great medical wisdom, to dictate to physicians what medical procedures cannot be used even if those procedures maximize the chance of living for one's wife or one's daughter.

To my colleagues who share my personal belief that late-term abortion should only be used in rare and extreme cases, I plead with you to read this bill. Read it. It does not accomplish that goal. To my colleagues, even those that are pro-life, I plead with you to ask this question of yourself. If the life of your wife or your daughter or your granddaughter were at risk, if their ability, your wife, your daughter, your granddaughter, their ability to have future children were to be at risk, who do you want to make the decision about what best medical procedure to use? This Congress or your loved one.

If you agree with me that that difficult choice should be left to our families and to our loved ones, not the politicians and pollsters, then I plead with you to vote "no" on this rule and "no" on this bill.

Mrs. WALDHOLTZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, before I yield to the next speaker, I think it is important that we note exactly what we are talking about. I have great respect and agree with those who say that we need to protect the lives of mothers, but this procedure, Mr. Speaker, is not used for what people believe are emergency lifesaving procedures or circumstances, because this procedure requires 3 days to execute.

Mr. Speaker, 9 weeks ago Thursday, I gave birth to my first daughter. I had to have my labor induced because my daughter was experiencing some difficulties and she needed to be born quickly. But it nevertheless took over 24 hours to induce my labor to the point that we could begin the real work of delivering my daughter. So this is not a procedure that is used in emergency life-threatening situations.

With that, Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma [Mr. ISTOOK].

Mr. ISTOOK. Mr. Speaker, I rise in support of the rule and in support of the rule and in support of this legislation.

Five times my wife and I have been blessed to give birth to a child, five times the opportunity to hold a brand new, newborn baby.

Mr. Speaker, it sickens me to think that some people believe it is a proper practice to delivery all of a baby, save only the head, and then before birth occurs, to jam a set of scissors into the back of the skull of that child and scramble its brains. That is what we are talking about, Mr. Speaker.

Should that be legal in a civilized society? We are talking about civilization versus barbarism.

Some people may not want to recognize the practice that we seek to prohibit. Some people did not want to look when Hitler was slaughtering the Jews or Stalin was slaughtering his countrymen. I am sure they did not want to look when Pharaoh went after the newborns or King Herod went after the newborn children, either.

It was slaughter, nevertheless, Mr. Speaker. If we do not look, if we do not understand what is being done, and instead of barbarity, they call it a choice. We have got to get away from that kind of language. We have got to get where someone speaks for the child, speaks for the newborn, speaks for a society that cares about life.

Words cannot convey the horror of this procedure. I would hope that no Member of this Chamber would endorse barbarism by voting against this legislation.

□ 1115

Mr. BEILENSEN. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY. Mr. Speaker, I rise to urge my colleagues to defeat this rule so this vote on this procedure will not come to the floor today.

This legislation concerns a rare, extraordinarily personal, extremely difficult decision that a few families across this country have to make each year. This situation: A late-term pregnancy has become a crisis. What has happened is the life of the mother is at risk, her child will not be able to exist outside the womb, and some families choose to end this crisis.

Let me be clear about what we are voting on. This bill does not eliminate other third-term procedures. Roe, the law of the land, permits this to protect the life of the mother. What this bill does is involve the Congress in an incredibly difficult medical decision.

I fear for this Chamber, Mr. Speaker. It does, at times like this, begin to resemble a political gymnasium that plays political games to get political points, not a great hall which over history has debated the great problems that face this country.

Do we know on restraint? Is nothing sacred for the individual from the interference of government?

Vote down this rule, my colleagues. Return this tragic decision to where it belongs, in the doctor's office with the family.

Mrs. WALDHOLTZ. Mr. Speaker, I yield 1 minute to the gentleman from Georgia [Mr. DEAL].

Mr. DEAL of Georgia. Mr. Speaker, the issue of abortions is, perhaps, the most divisive subject to enter the political arena. It is a specific subject encompassed with other broader subjects of religion, morality, and constitutional rights. Theologians and jurists have struggled with this subject for centuries, and in recent decades, as the quest to establish a civilized balance between the rights of the mother and those of her unborn child have intensified, certain markers or points of demarcation have been sought. Viability and corresponding trimesters of pregnancy have become the courts' standard. As uncertain and arbitrary as this standard may be, since it has a fluctuation factory of months or weeks, there should be no disagreement that partial-birth abortions should be prohibited—for here, the difference between life and death is not months or weeks or days, it is a few centimeters.

Surely, no civilized society should tolerate such a barbaric procedure that allows the brains of a baby to be sucked from its skull within a few centimeters and a second away from its birth. Our humanity demands that we reject this procedure.

Mr. BEILENSEN. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. SCHUMER].

(Mr. SCHUMER asked and was given permission to revise and extend his remarks.)

Mr. SCHUMER. Mr. Speaker, I rise in opposition to this rule.

Let me say that, for the last year, my major involvement in this issue has been as author and then watching the FACE law, the clinic access law, be implemented; and what we say in that, why we needed that law, why a vast majority of people in this body, or not a vast majority but certainly a strong majority supported that law was because there was a pattern of intimidation. Doctors who were doing a perfectly legal procedure were being intimidated, harassed, threatened, and even shot.

This bill, in my judgment, given what it does, extends that intimidation to mental intimidation. What it is doing is saying to physicians, by the way it is constructed, that they must choose between their Hippocratic oath, this and their fear of prosecution, very simply. A physician and his patient or her patient may come together and decide that something is perfectly legal and necessary.

We have heard the horror stories all along, and then if the physician presumes that the life of the mother is at stake and feels that this procedure is necessary, he must then, or she must

then, weigh the fact that once they do it, they will have to go to court and prove that the life of the mother was truly at stake or that no other procedure was possibly available. What kind of choice is that? What kind of country is this?

If you wish to debate the issue of pro-life versus pro-choice, let us do it. My view that this is a matter that should be left to the individual because some people believe life begins at conception, some people believe life begins at birth and others believe it begins somewhere in between is not an issue for the Government to decide but for us and our maker. But do not try this backdoor way of intimidating physicians to do something perfectly legal.

Mrs. WALDHOLTZ. Mr. Speaker, I yield 1½ minutes to my colleague, the gentleman from Kansas [Mr. TIAHRT].

Mr. TIAHRT. Mr. Speaker, I rise today as a supporter of this rule, this bill and a strong advocate for the human rights of all Americans, both born and unborn.

This Nation must raise the value of life if we are to survive as a nation, as a prosperous people. We must value human life.

My colleagues, this is an appropriate rule, because this procedure is so horrible, so inhumane that we should be able to vote right now without question to protect the lives of these little ones.

My friends, what more do we need to know? This bill outlaws a medical procedure which takes a child, almost completely outside the mother's body and robs the child of its life. What more do we need to know? A child, a fully formed child with arms, with legs, a body, feet, hands, and fingers, all outside the mother's womb in the very same air that you and I breathe, yet it is legal to end the life of this child, this gift from God, and, of course, a beating heart.

My friends, if it is not human, if it is not a human child, then why does their little heart have to be silenced? This silence should stir the very soul of this Nation and cause this House to act now. In the end, if we do not raise the value of life, we will have no life to value.

I urge Members to support this rule.

Mr. BEILENSEN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. BENTSEN].

(Mr. BENTSEN asked and was given permission to revise and extend his remarks.)

Mr. BENTSEN. Mr. Speaker, this is part of the ongoing stealth campaign to outlaw choice for women in America, and now it is through criminalizing an ill-defined medical procedure. This is the congressional equivalent of medical malpractice.

For the record, let us make clear the American Medical Association did not endorse this legislation. In fact, I believe they unanimously rejected it. There is the same AMA which endorsed

the Medicare, Republican Medicare plan, so you cannot have it both ways.

Let us go a little bit further about this rule. This rule prohibits any amendments which would exclude instances in the case of rape or incest or the life of the mother. That is simply not right. But unfortunately that is politics in the 104th Congress.

Let us talk about parenthood, because I think those of us who are parents are all genuinely good parents. Last night I had the opportunity to leave early, to take my two daughters, Louise and Meredith, trick-or-treating in our neighborhood. It was one of those special moments that you get to spend as a father with your 4-year-old and 2-year-old. There are not many of those that you get in this job.

I will not come to this House today as a legislator and vote to take away their right to this medical procedure if their life depended on it. That is wrong. There is not a parent in this House who should consider doing that. This rule is wrong. This bill is ill-defined. This is politics in its worst form.

Vote against this rule.

Mrs. WALDHOLTZ. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska [Mr. CHRISTENSEN].

Mr. CHRISTENSEN. Mr. Speaker, I rise today as an original cosponsor of the partial birth abortion ban, and so to voice my support for this rule. Let us be clear about one thing, this has nothing to do with the life of the mother.

For those that support abortion on demand, they will use any excuse or any reason to overturn this rule.

What I do want to talk about though is this procedure is so grotesque, any American who understands what this procedure is about would be against it. I believe that banning partial birth abortions would start us on the road to restoring sanity to our Nation's abortion laws and away from the abortion-on-demand policies this Chamber has supported over the last few decades.

As the majority's report on this legislation pointed out, even the Roe court rejected the notion that a woman is entitled to an abortion at whatever time in whatever way and for whatever reason she alone chooses. Abortion on demand, that is what this bill's opponents are for, and what the heart of this debate is about.

Is this Nation destined to forever retain the most permissive, immoral abortion laws in the industrial world? You know, we have laws protecting the environment, we have laws protecting endangered species, we have laws protecting the air and water. It is time that we have laws protecting the unborn child.

I saw two bumper stickers this morning on a car. One said, "Save the whales," and the other side said, "I am pro-choice." What a sad state that this country has gone to that we are for saving the whales and murdering our unborn children.

Mr. BEILENSEN. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Speaker, my colleagues, as a mother of three beautiful grown children, I just have to express how deeply offended I am by this discussion today. Thank God, my husband and I never had to make a painful decision like this.

But how can we send this message to those few families that have to face this tragedy, that received a message that the fetus could not live and their wife was in danger of losing her life?

Mr. Speaker, the bill before us would ban a specific type of medical procedure used to perform abortions in cases where the life and health of the mother is threatened by her pregnancy. It would make it a crime for doctors to use this procedure to save the lives of their patients.

This legislation undermines the right to choose by directly challenging the historic Roe versus Wade decision; and, my colleagues, I wish we would deal with that issue head-on rather than undermine it in this backhanded way.

The bill provides no exception for cases where the life and health of the mother is endangered. Not only is it immoral, it is unconstitutional, and the fact that this closed rule does not allow us to protect the life and health of the mother is an absolute tragedy.

Mr. Speaker, we tried to offer amendments, but the Republican leadership said "no". Let me explain very clearly what this bill does instead. Doctors who perform this procedure to save their patients' lives would be arrested, indicted and tried. At trial, that doctor would have to prove the patient's life was in danger. In other words, the doctor is guilty until proven innocent.

This bill places doctors in an untenable situation. They have to choose between saving their patient's life and a 2-year jail term.

I urge my colleagues to defeat this rule.

Mrs. WALDHOLTZ. Mr. Speaker, I yield 1 minute to the gentleman from Arizona [Mr. SALMON].

Mr. SALMON. Mr. Speaker, shame on those Members on the other side who are flagrantly misrepresenting this bill.

You know if you read the bill that it provides an exemption in the case of saving the life of the mother; and any American who requests this bill, wants to read it themselves, will see exactly what you are dishing out today, flagrant untruths.

What this is about, this is not the traditional pro-life-pro-choice debate. This is about a procedure so heinous as to take the baby outside of the body and leave the head still inside the womb and murder the baby.

How far are we from China where they are taking the baby girl, as soon as they are born, and snapping the spine and killing the baby once it has already been born? What is the difference? How far are we going to be from that?

I would not be surprised to see some of those of you on the other side defend that procedure as well. If you can sit

there with a straight face and defend this kind of barbaric procedure and misrepresent with a bold face what this does, as you done today, shame on you.

Mr. BEILENSEN. Mr. Speaker, I yield 1½ minutes to the gentleman from California [Mr. FARR].

Mr. FARR of California. Mr. Speaker, the amendment to H.R. 1833 that Ms. LOFGREN and I had intended to offer this morning was narrowly drafted to protect the life and health of the mother and in those tragic instances of severe, fatal fetal abnormalities.

While this is an emotional issue, we must remember that we are talking about real women's lives—in this case my former constituent, Tammy Watts, who lived in Monterey at the time she and her husband faced the painful choice to terminate her third trimester pregnancy.

Tammy and her husband, Mitch, had been eagerly looking forward to the birth of their first child they had named the child, and bought the furniture, with all the dreams and joy of any expectant couple.

The Watts' received the devastating news in her seventh month of pregnancy that their fetus suffered from a severe and fatal fetal anomaly, Trisomy 13. Their fetus already had enlarged and failing kidneys, no eyes, diseased and malfunctioning brain tissue, and a non-functional mass of bowels, intestines, and bladder growing outside the body.

The Watts' were told by numerous doctors that there were no surgical or genetic therapies to help their fetus. For all the advances in medical science, the sad and painful truth that Tammy and Mitch had to face was that their fetus would not live, even if carried full term.

As if the situation were not tragic enough, Tammy was told by her physicians that if she had continued the pregnancy and let the fetus die in utero, dangerous toxins could have been released into Tammy's body, presenting grave risk to her health and to her ability to have children in the future.

□ 1130

Mrs. WALDHOLTZ. Mr. Speaker, I am pleased to yield 2½ minutes to the gentleman from Illinois [Mr. HYDE], the chairman of the Committee on the Judiciary.

(Mr. HYDE asked and was given permission to revise and extend his remarks.)

Mr. HYDE. Mr. Speaker, the gentlewoman from Connecticut said something quite interesting. She asked, "Is nothing safe from the interference of government?" Well, when a woman and her doctor decide that her pregnancy is inconvenient or inopportune, where does the tiny little member of the human family struggling to be born in the womb turn for equal protection of the law, for due process of the law?

The facts of life are and the facts of this legislation are the life-of-the-mother exception is in the law as an affirmative defense. The doctor only has to show that he reasonably believed that the woman's life was in danger. He does not have to prove it beyond a reasonable doubt. He does not even have to be right. He just has to have reasonable belief that the woman's life would be in danger unless he performed this macabre, gruesome, Auschwitz-like operation, this butchery in the service of infanticide.

I am stunned that people are not running from defending this type of gruesome procedure. Yet the only question that this bill asks is yes or no. Never mind the nuances and the highways and the byways. Do you support a process where an infant, a live infant, talk about I feel your pain, a live infant is almost extracted from the birth canal, 3 inches from being a fully-born child, and a scissors punctures the neck and the brains are sucked out.

Anybody that can find a word of defense for that is someone I do not understand. The American Medical Association Council on Legislation unanimously approved recommending this bill. The full AMA did not. They did nothing. They took a pass. They washed their hands. But at least the council on legislation unanimously supported it.

Look: If one thinks abortion is a good idea, that is fine, go ahead and live with that. But this form of abortion is indefensible. Indefensible.

This rule is a focused rule. It asks the question do you or do you not approve of this procedure? That is the only question that needs to be asked. The life of the mother is protected. Prosecutors are not going around indicating people willy-nilly when they have an affirmative defense, and it is an easy affirmative defense.

Mr. Speaker, I ask for support for this rule.

Mr. BEILENSEN. Mr. Speaker, I yield 1 minute to my good friend, the distinguished gentleman from California [Mr. FAZIO].

Mr. FAZIO of California. Mr. Speaker, I rise in opposition to the rule on this bill for two reasons:

One, this bill allows no exceptions—even to save a woman's life—making this bill clearly unconstitutional. We asked for a rule to allow that exception but we were denied.

Why? Because proponents of this bill want to challenge the legal right to choose for all women. This is just a step in that challenge. This is a legal strategy.

The second reason I oppose this rule and this bill is that by not allowing an exception to save the life of the woman, this bill is just cruel on its face.

My friends and colleagues, this bill bans the right to make a necessary

medical decision when circumstances are most dire.

Despite the other side's spin doctors—real doctors know that the late term abortions this bill seeks to ban are rare and they're done only when there is no better alternative to save the woman and, if possible, preserve her ability to have children. They are done after a family has given careful thought and prayer to the matter—and has sought out the best medical advice possible.

When a woman is pregnant—with a pregnancy wanted and hoped for—and finds herself in a life-threatening situation late in that pregnancy, she is in grave danger and she's emotionally devastated.

I cannot imagine a more cruel act this Congress could make than to tell that woman—that woman whose hopes and dreams rested on the pending birth of her child—that we won't even allow her doctor to take the necessary steps to save her life and make every effort to preserve her ability to try again when she has grieved the loss and her health is restored.

Over and over again this Congress has picked on the weakest among us—the children, the elderly, families struggling just to make it—but now you're picking on a woman who very much wants to be a mother and you're telling her that her life means nothing. Telling her we'll jail her doctor for saving her life. Colleagues, we have never stooped lower than this.

If you care about life—about families—search your hearts and vote against this rule and against this bill.

Mr. BEILENSEN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York [Mrs. MALONEY].

(Mrs. MALONEY asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY. Mr. Speaker, I rise in opposition to this rule.

Mr. BEILENSEN. Mr. Speaker, I yield 1 minute to the gentlewoman from California [Ms. WOOLSEY]. As she reaches the podium, I ask Members to vote no on this rule, so we can send it back to the Committee on Rules and ask for a rule which would allow us to vote on amendments to preserve the life and health of the mother.

(Ms. WOOLSEY asked and was given permission to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, I rise in strong opposition to the rule for H.R. 1833.

The proposed rule for the Canady late term abortion bill is nothing less than an outrage. This rule bars Members from offering amendments which would allow a procedure when the life of the mother is in danger or when the fetus is so malformed that it has zero chance of survival.

This restrictive rule makes sure that an awful bill remains an awful bill.

Ladies and gentlemen, let's make one thing clear. This rule ensures that H.R. 1833 will be a direct challenge to Roe versus Wade. In other words, if you are a pro-choice Member of Congress, if your constituents vote for you because they feel assured that you will not violate a woman's right to choose, if you agree that the mother's life has value then there is no way that you can vote for this rule.

This rule will force the House of Representatives to vote on banning a specific surgical procedure with absolutely no safeguards for the life, health, or future fertility of the mother.

To my colleagues on both sides of the aisle I urge you to defeat this rule. This issue does not belong on the floor of the House of Representatives, it belongs in a doctor's office. Politicians should not decide whether a terminally malformed fetus should be brought to term. A woman, with her doctor's advice, should.

Remember this my friends, you can not say you are pro-choice and vote for this rule. Defeat this rule, stand up for women's lives, do not violate Roe versus Wade.

The SPEAKER pro tempore (Mr. HANSEN). All time has expired on the minority side. The majority has 1 minute remaining.

Mrs. WALDHOLTZ. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, if this Congress has no other purpose, are we not obligated to protect the rights of those in our society who are too weak to protect themselves? The procedure that is the subject of this bill denies protection, life itself, to children who are nearly born alive, but for a few centimeters with their head left in the birth canal, a procedure used for elective abortion, a procedure used on viable children.

Mr. Speaker, this bill is not about protecting the life of the mother. This procedure is too lengthy to be used in true emergency situations. It takes too long.

This Congress, Mr. Speaker, cannot seriously defend measuring life in mere inches. It is time to outlaw this procedure, which even members of the AMA's Council on Legislation describe as repulsive and recommended that they take action against.

This is barbarism, Mr. Speaker. It is an area where those of us who differ on other issues relating to abortion can agree, that this is not something we want to go on in our country.

Mr. Speaker, I include for the RECORD the following information relating to rules reported by the Committee on Rules during the 104th Congress.

THE AMENDMENT PROCESS UNDER SPECIAL RULES REPORTED BY THE RULES COMMITTEE,¹ 103D CONGRESS V. 104TH CONGRESS

(As of October 31, 1995)

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Open/Modified-open ²	46	44	52	69
Modified Closed ³	49	47	18	24
Closed ⁴	9	9	5	7
Total	104	100	75	100

¹ This table applies only to rules which provide for the original consideration of bills, joint resolutions or budget resolutions and which provide for an amendment process. It does not apply to special rules which only waive points of order against appropriations bills which are already privileged and are considered under an open amendment process under House rules.

² An open rule is one under which any Member may offer a germane amendment under the five-minute rule. A modified open rule is one under which any Member may offer a germane amendment under the five-minute rule subject only to an overall time limit on the amendment process and/or a requirement that the amendment be preprinted in the Congressional Record.

³ A modified closed rule is one under which the Rules Committee limits the amendments that may be offered only to those amendments designated in the special rule or the Rules Committee report to accompany it, or which preclude amendments to a particular portion of a bill, even though the rest of the bill may be completely open to amendment.

⁴ A closed rule is one under which no amendments may be offered (other than amendments recommended by the committee in reporting the bill).

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS

(As of October 31, 1995)

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 38 (1/18/95)	O	H.R. 5	Unfunded Mandate Reform	A: 350–71 (1/19/95).
H. Res. 44 (1/24/95)	MC	H. Con. Res. 17	Social Security	A: 255–172 (1/25/95).
		H.J. Res. 1	Balanced Budget Amdt	
H. Res. 51 (1/31/95)	O	H.R. 101	Land Transfer, Taos Pueblo Indians	A: voice vote (2/1/95).
H. Res. 52 (1/31/95)	O	H.R. 400	Land Exchange, Arctic Nat'l. Park and Preserve	A: voice vote (2/1/95).
H. Res. 53 (1/31/95)	O	H.R. 440	Land Conveyance, Butte County, Calif	A: voice vote (2/1/95).
H. Res. 55 (2/1/95)	O	H.R. 2	Line Item Veto	A: voice vote (2/2/95).
H. Res. 60 (2/6/95)	O	H.R. 665	Victim Restitution	A: voice vote (2/7/95).
H. Res. 61 (2/6/95)	O	H.R. 666	Exclusionary Rule Reform	A: voice vote (2/7/95).
H. Res. 63 (2/8/95)	MO	H.R. 667	Violent Criminal Incarceration	A: voice vote (2/9/95).
H. Res. 69 (2/9/95)	O	H.R. 668	Criminal Alien Deportation	A: voice vote (2/10/95).
H. Res. 79 (2/10/95)	MO	H.R. 728	Law Enforcement Block Grants	A: voice vote (2/13/95).
H. Res. 83 (2/13/95)	MO	H.R. 7	National Security Revitalization	PO: 229–100; A: 227–127 (2/15/95).
H. Res. 88 (2/16/95)	MC	H.R. 831	Health Insurance Deductibility	PO: 230–191; A: 229–188 (2/21/95).
H. Res. 91 (2/21/95)	O	H.R. 830	Paperwork Reduction Act	A: voice vote (2/22/95).
H. Res. 92 (2/21/95)	MC	H.R. 889	Defense Supplemental	A: 282–144 (2/22/95).
H. Res. 93 (2/22/95)	MO	H.R. 450	Regulatory Transition Act	A: 252–175 (2/23/95).
H. Res. 96 (2/24/95)	MO	H.R. 1022	Risk Assessment	A: 253–165 (2/27/95).
H. Res. 100 (2/27/95)	O	H.R. 926	Regulatory Reform and Relief Act	A: voice vote (2/28/95).
H. Res. 101 (2/28/95)	MO	H.R. 925	Private Property Protection Act	A: 271–151 (3/2/95).
H. Res. 103 (3/3/95)	MO	H.R. 1058	Securities Litigation Reform	
H. Res. 104 (3/3/95)	MO	H.R. 988	Attorney Accountability Act	A: voice vote (3/6/95).
H. Res. 105 (3/6/95)	MO			A: 257–155 (3/7/95).
H. Res. 108 (3/7/95)	Debate	H.R. 956	Product Liability Reform	A: voice vote (3/8/95).
H. Res. 109 (3/8/95)	MC			PO: 234–191; A: 247–181 (3/9/95).
H. Res. 115 (3/14/95)	MO	H.R. 1159	Making Emergency Supp. Approps	A: 242–190 (3/15/95).
H. Res. 116 (3/15/95)	MC	H.J. Res. 73	Term Limits Const. Amdt	A: voice vote (3/28/95).
H. Res. 117 (3/16/95)	Debate	H.R. 4	Personal Responsibility Act of 1995	A: voice vote (3/21/95).
H. Res. 119 (3/21/95)	MC			A: 217–211 (3/22/95).
H. Res. 125 (4/3/95)	O	H.R. 1271	Family Privacy Protection Act	A: 423–1 (4/4/95).
H. Res. 126 (4/3/95)	O	H.R. 660	Older Persons Housing Act	A: voice vote (4/6/95).
H. Res. 128 (4/4/95)	MC	H.R. 1215	Contract With America Tax Relief Act of 1995	A: 228–204 (4/5/95).
H. Res. 130 (4/5/95)	MC	H.R. 483	Medicare Select Expansion	A: 253–172 (4/6/95).
H. Res. 136 (5/1/95)	O	H.R. 655	Hydrogen Future Act of 1995	A: voice vote (5/2/95).
H. Res. 139 (5/3/95)	O	H.R. 1361	Coast Guard Auth. FY 1996	A: voice vote (5/9/95).
H. Res. 140 (5/9/95)	O	H.R. 961	Clean Water Amendments	A: 414–4 (5/10/95).
H. Res. 144 (5/11/95)	O	H.R. 535	Fish Hatchery—Arkansas	A: voice vote (5/15/95).
H. Res. 145 (5/11/95)	O	H.R. 584	Fish Hatchery—Iowa	A: voice vote (5/15/95).
H. Res. 146 (5/11/95)	O	H.R. 614	Fish Hatchery—Minnesota	A: voice vote (5/15/95).
H. Res. 149 (5/16/95)	MC	H. Con. Res. 67	Budget Resolution FY 1996	PO: 252–170; A: 255–168 (5/17/95).
H. Res. 155 (5/22/95)	MO	H.R. 1561	American Overseas Interests Act	A: 233–176 (5/23/95).
H. Res. 164 (6/8/95)	MC	H.R. 1530	Nat. Defense Auth. FY 1996	PO: 225–191; A: 233–183 (6/13/95).
H. Res. 167 (6/15/95)	O	H.R. 1817	MilCon Appropriations FY 1996	PO: 223–180; A: 245–155 (6/16/95).
H. Res. 169 (6/19/95)	MC	H.R. 1854	Leg. Branch Approps. FY 1996	PO: 232–196; A: 236–191 (6/20/95).
H. Res. 170 (6/20/95)	O	H.R. 1868	For. Ops. Approps. FY 1996	PO: 221–178; A: 217–175 (6/22/95).
H. Res. 171 (6/22/95)	O	H.R. 1905	Energy & Water Approps. FY 1996	A: voice vote (7/12/95).
H. Res. 173 (6/27/95)	C	H.J. Res. 79	Flag Constitutional Amendment	PO: 258–170; A: 271–152 (6/28/95).
H. Res. 176 (6/28/95)	MC	H.R. 1944	Emer. Supp. Approps	PO: 236–194; A: 234–192 (6/29/95).
H. Res. 185 (7/11/95)	O	H.R. 1977	Interior Approps. FY 1996	PO: 235–193; D: 192–238 (7/12/95).
H. Res. 187 (7/12/95)	O	H.R. 1977	Interior Approps. FY 1996 #2	PO: 230–194; A: 229–195 (7/13/95).
H. Res. 188 (7/12/95)	O	H.R. 1976	Agriculture Approps. FY 1996	PO: 242–185; A: voice vote (7/18/95).
H. Res. 190 (7/17/95)	O	H.R. 2020	Treasury/Postal Approps. FY 1996	PO: 232–192; A: voice vote (7/18/95).
H. Res. 193 (7/19/95)	C	H.J. Res. 96	Disapproval of MFN to China	A: voice vote (7/20/95).
H. Res. 194 (7/19/95)	O	H.R. 2002	Transportation Approps. FY 1996	PO: 217–202 (7/21/95).
H. Res. 197 (7/21/95)	O	H.R. 70	Exports of Alaskan Crude Oil	A: voice vote (7/24/95).
H. Res. 198 (7/21/95)	O	H.R. 2076	Commerce, State Approps. FY 1996	A: voice vote (7/25/95).
H. Res. 201 (7/25/95)	O	H.R. 2099	VA/HUD Approps. FY 1996	A: 230–189 (7/25/95).
H. Res. 204 (7/28/95)	MC	S. 21	Terminating U.S. Arms Embargo on Bosnia	A: voice vote (8/1/95).
H. Res. 205 (7/28/95)	O	H.R. 2126	Defense Approps. FY 1996	A: 409–1 (7/31/95).
H. Res. 207 (8/1/95)	MC	H.R. 1555	Communications Act of 1995	A: 255–156 (8/2/95).
H. Res. 208 (8/1/95)	O	H.R. 2127	Labor, HHS Approps. FY 1996	A: 323–104 (8/2/95).
H. Res. 215 (9/7/95)	O	H.R. 1594	Economically Targeted Investments	A: voice vote (9/12/95).
H. Res. 216 (9/7/95)	MO	H.R. 1655	Intelligence Authorization FY 1996	A: voice vote (9/12/95).
H. Res. 218 (9/12/95)	O	H.R. 1162	Deficit Reduction Lockbox	A: voice vote (9/13/95).
H. Res. 219 (9/12/95)	O	H.R. 1670	Federal Acquisition Reform Act	A: 414–0 (9/13/95).
H. Res. 222 (9/18/95)	O	H.R. 1617	CAREERS Act	A: 388–2 (9/19/95).
H. Res. 224 (9/19/95)	O	H.R. 2274	Natl. Highway System	PO: 241–173; A: 375–39–1 (9/20/95).
H. Res. 225 (9/19/95)	MC	H.R. 927	Cuban Liberty & Dem. Solidarity	A: 304–118 (9/20/95).
H. Res. 226 (9/21/95)	O	H.R. 743	Team Act	A: 344–66–1 (9/27/95).
H. Res. 227 (9/21/95)	O	H.R. 1170	3-Judge Court	A: voice vote (9/28/95).
H. Res. 228 (9/21/95)	O	H.R. 1601	Internatl. Space Station	A: voice vote (9/27/95).
H. Res. 230 (9/27/95)	C	H.J. Res. 108	Continuing Resolution FY 1996	A: voice vote (9/28/95).
H. Res. 234 (9/29/95)	O	H.R. 2405	Omnibus Science Auth	A: voice vote (10/11/95).
H. Res. 237 (10/17/95)	MC	H.R. 2259	Disapprove Sentencing Guidelines	A: voice vote (10/18/95).
H. Res. 238 (10/18/95)	MC	H.R. 2425	Medicare Preservation Act	PO: 231–194; A: 227–192 (10/19/95).
H. Res. 239 (10/19/95)	C	H.R. 2492	Leg. Branch Approps	PO: 235–184; A: voice vote (10/31/95).
H. Res. 245 (10/25/95)	MC	H. Con. Res. 109	Social Security Earnings Reform	PO: 228–191; A: 235–185 (10/26/95).
		H.R. 2491	Seven-Year Balanced Budget	
H. Res. 251 (10/31/95)	C	H.R. 1833	Partial Birth Abortion Ban	
H. Res. 252 (10/31/95)	MO	H.R. 2546	D.C. Approps	

Codes: O-open rule; MO-modified open rule; MC-modified closed rule; C-closed rule; A-adoption vote; D-defeated; PO-previous question vote. Source: Notices of Action Taken, Committee on Rules, 104th Congress.

Mr. LAZIO of New York. Mr. Speaker, I rise today to oppose the rule on H.R. 1833, the Partial-Birth Abortion Act of 1995. When Re-

publicans won a majority last November we promised to have many more open rules on legislation than in previous years. Open rules

are essential in order to have an open debate on important issues. Yet, regrettably the rule before us today prevents us from voting on an

important amendment to allow for exceptions from the bill's provisions in cases where the life of the mother is endangered.

This is an issue of great concern to many of us. It deserves to be openly debated, and it deserves a vote by the full House. Therefore, I urge my colleagues to vote against this rule so we can bring this bill back under an open rule and allow the will of the full House to prevail.

Mrs. WALDHOLTZ. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mrs. WALDHOLTZ. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 237, nays 190, not voting 5, as follows:

[Roll No. 754]

YEAS—237

Allard	Callahan	Doyle
Archer	Calvert	Dreier
Armey	Camp	Duncan
Bachus	Canady	Ehlers
Baesler	Chabot	Ehrlich
Baker (CA)	Chambliss	Emerson
Baker (LA)	Chenoweth	English
Ballenger	Christensen	Ensign
Barcia	Chrysler	Everett
Barr	Clement	Ewing
Barrett (NE)	Coble	Fawell
Bartlett	Coburn	Fields (TX)
Barton	Collins (GA)	Flanagan
Bateman	Combest	Foley
Bevill	Cooley	Forbes
Bilbray	Costello	Frisa
Bilirakis	Cox	Funderburk
Bliley	Crapo	Galleghy
Blute	Cremeans	Ganske
Boehner	Cubin	Gekas
Bonilla	Cunningham	Geren
Bono	Danner	Goodlatte
Borski	Davis	Goodling
Brewster	de la Garza	Goss
Brownback	Deal	Graham
Bryant (TN)	DeLay	Gutknecht
Bunn	Diaz-Balart	Hall (OH)
Bunning	Dickey	Hall (TX)
Burr	Dingell	Hamilton
Burton	Doolittle	Hancock
Buyer	Dornan	Hansen

Hastert	McCrery	Sanford	Greenwood	McDermott	Schroeder
Hastings (WA)	McDade	Saxton	Gunderson	McHale	Schumer
Hayes	McHugh	Scarborough	Gutierrez	McKinney	Scott
Hayworth	McInnis	Schaefer	Harman	Meehan	Serrano
Hefley	McIntosh	Schiff	Hastings (FL)	Meek	Shaw
Hefner	McKeon	Seastrand	Hilliard	Menendez	Shays
Heineman	McNulty	Sensenbrenner	Hinchey	Meyers	Skaggs
Herger	Metcalf	Shadegg	Hobson	Mfume	Slaughter
Hilleary	Mica	Shuster	Horn	Miller (CA)	Spratt
Hoekstra	Mollohan	Sisisky	Houghton	Miller (FL)	Stark
Hoke	Montgomery	Skeen	Hoyer	Minge	Stokes
Holden	Moorhead	Skelton	Jackson-Lee	Mink	Studds
Hostettler	Murtha	Smith (MI)	Jacobs	Moakley	Tanner
Hunter	Myers	Smith (NJ)	Jefferson	Molinari	Thomas
Hutchinson	Myrick	Smith (TX)	Johnson (CT)	Moran	Thompson
Hyde	Nethercutt	Smith (WA)	Johnson (SD)	Morella	Thurman
Inglis	Neumann	Solomon	Johnson, E. B.	Nadler	Torkildsen
Istook	Ney	Souder	Johnston	Neal	Torres
Johnson, Sam	Norwood	Spence	Kaptur	Obey	Torricelli
Jones	Nussle	Stearns	Kelly	Olver	Towns
Kanjorski	Oberstar	Stenholm	Kennedy (MA)	Owens	Traficant
Kasich	Ortiz	Stockman	Kennedy (RI)	Pallone	Upton
Kildee	Orton	Stump	Kennelly	Pastor	Velazquez
Kim	Oxley	Stupak	Klug	Payne (NJ)	Vento
King	Packard	Talent	Kolbe	Payne (VA)	Visclosky
Kingston	Parker	Tate	Lantos	Pelosi	Ward
Klecza	Paxon	Tauzin	Lazio	Peterson (FL)	Waters
Klink	Peterson (MN)	Taylor (MS)	Leach	Pickett	Watt (NC)
Knollenberg	Petri	Taylor (NC)	Levin	Pomeroy	Waxman
LaFalce	Pombo	Tejeda	Lewis (GA)	Ramstad	Williams
LaHood	Porter	Thornberry	Lincoln	Rangel	Wilson
Largent	Portman	Thornton	Lofgren	Reed	Wise
Latham	Poshard	Tiahrt	Lowe	Richardson	Woolsey
LaTourette	Pryce	Volkmer	Luther	Rivers	Wyden
Laughlin	Quillen	Vucanovich	Maloney	Roukema	Wynn
Lewis (CA)	Quinn	Waldholtz	Markey	Roybal-Allard	Yates
Lewis (KY)	Radanovich	Walker	Martinez	Rush	Zeliff
Lightfoot	Rahall	Walsh	Martini	Sabo	Zimmer
Linder	Riggs	Wamp	Matsui	Sanders	
Lipinski	Roberts	Watts (OK)	McCarthy	Sawyer	
Livingston	Roemer	Weldon (FL)			
LoBiondo	Rogers	Weller			
Longley	Rohrabacher	White	Crane	Regula	Weldon (PA)
Lucas	Ros-Lehtinen	Whitfield	Fields (LA)	Tucker	
Manton	Rose	Wicker			
Manzullo	Roth	Wolf			
Mascara	Royce	Young (AK)			
McCollum	Salmon	Young (FL)			

NAYS—190

Abercrombie	Clayton	Farr
Ackerman	Clinger	Fattah
Andrews	Clyburn	Fazio
Baldacci	Coleman	Filner
Barrett (WI)	Collins (IL)	Flake
Bass	Collins (MI)	Foglietta
Becerra	Condit	Ford
Beilenson	Conyers	Fowler
Bentsen	Coyne	Fox
Bereuter	Cramer	Frank (MA)
Berman	DeFazio	Franks (CT)
Bishop	DeLauro	Franks (NJ)
Boehlert	Dellums	Frelinghuysen
Bonior	Deutsch	Frost
Boucher	Dicks	Furse
Browder	Dixon	Gejdenson
Brown (CA)	Doggett	Gephardt
Brown (FL)	Dooley	Gibbons
Brown (OH)	Dunn	Gilchrest
Bryant (TX)	Durbin	Gillmor
Cardin	Edwards	Gilman
Castle	Engel	Gonzalez
Chapman	Eshoo	Gordon
Clay	Evans	Green

Sanford	Greenwood	McDermott	Schroeder
Saxton	Gunderson	McHale	Schumer
Scarborough	Gutierrez	McKinney	Scott
Schaefer	Harman	Meehan	Serrano
Schiff	Hastings (FL)	Meek	Shaw
Seastrand	Hilliard	Menendez	Shays
Sensenbrenner	Hinchey	Meyers	Skaggs
Shadegg	Hobson	Mfume	Slaughter
Shuster	Horn	Miller (CA)	Spratt
Sisisky	Houghton	Miller (FL)	Stark
Skeen	Hoyer	Minge	Stokes
Skelton	Jackson-Lee	Mink	Studds
Smith (MI)	Jacobs	Moakley	Tanner
Smith (NJ)	Jefferson	Molinari	Thomas
Smith (TX)	Johnson (CT)	Moran	Thompson
Smith (WA)	Johnson (SD)	Morella	Thurman
Solomon	Johnson, E. B.	Nadler	Torkildsen
Souder	Johnston	Neal	Torres
Spence	Kaptur	Obey	Torricelli
Stearns	Kelly	Olver	Towns
Stenholm	Kennedy (MA)	Owens	Traficant
Stockman	Kennedy (RI)	Pallone	Upton
Stump	Kennelly	Pastor	Velazquez
Stupak	Klug	Payne (NJ)	Vento
Talent	Kolbe	Payne (VA)	Visclosky
Tate	Lantos	Pelosi	Ward
Tauzin	Lazio	Peterson (FL)	Waters
Taylor (MS)	Leach	Pickett	Watt (NC)
Taylor (NC)	Levin	Pomeroy	Waxman
Tejeda	Lewis (GA)	Ramstad	Williams
Thornberry	Lincoln	Rangel	Wilson
Thornton	Lofgren	Reed	Wise
Tiahrt	Lowe	Richardson	Woolsey
Volkmer	Luther	Rivers	Wyden
Vucanovich	Maloney	Roukema	Wynn
Waldholtz	Markey	Roybal-Allard	Yates
Walker	Martinez	Rush	Zeliff
Walsh	Martini	Sabo	Zimmer
Wamp	Matsui	Sanders	
Watts (OK)	McCarthy	Sawyer	

Greenwood	McDermott	Schroeder
Gunderson	McHale	Schumer
Gutierrez	McKinney	Scott
Harman	Meehan	Serrano
Hastings (FL)	Meek	Shaw
Hilliard	Menendez	Shays
Hinchey	Meyers	Skaggs
Hobson	Mfume	Slaughter
Horn	Miller (CA)	Spratt
Houghton	Miller (FL)	Stark
Hoyer	Minge	Stokes
Jackson-Lee	Mink	Studds
Jacobs	Moakley	Tanner
Jefferson	Molinari	Thomas
Johnson (CT)	Moran	Thompson
Johnson (SD)	Morella	Thurman
Johnson, E. B.	Nadler	Torkildsen
Johnston	Neal	Torres
Kaptur	Obey	Torricelli
Kelly	Olver	Towns
Kennedy (MA)	Owens	Traficant
Kennedy (RI)	Pallone	Upton
Kennelly	Pastor	Velazquez
Klug	Payne (NJ)	Vento
Kolbe	Payne (VA)	Visclosky
Lantos	Pelosi	Ward
Lazio	Peterson (FL)	Waters
Leach	Pickett	Watt (NC)
Levin	Pomeroy	Waxman
Lewis (GA)	Ramstad	Williams
Lincoln	Rangel	Wilson
Lofgren	Reed	Wise
Lowe	Richardson	Woolsey
Luther	Rivers	Wyden
Maloney	Roukema	Wynn
Markey	Roybal-Allard	Yates
Martinez	Rush	Zeliff
Martini	Sabo	Zimmer
Matsui	Sanders	
McCarthy	Sawyer	

NOT VOTING—5

Regula Weldon (PA)

□ 1201

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION TO INSERT EXTRANEIOUS MATERIAL

Mr. BEILENSEN. Mr. Speaker, I ask unanimous consent to insert extraneous material at this point in the RECORD.

The SPEAKER pro tempore (Mr. HANSEN). Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BEILENSEN. Mr. Speaker, the material referred to is as follows:

FLOOR PROCEDURE IN THE 104TH CONGRESS; COMPILED BY THE RULES COMMITTEE DEMOCRATS

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1*	Compliance	H. Res. 6	Closed	None.
H. Res. 6	Opening Day Rules Package	H. Res. 5	Closed; contained a closed rule on H.R. 1 within the closed rule	None.
H.R. 5*	Unfunded Mandates	H. Res. 38	Restrictive; Motion adopted over Democratic objection in the Committee of the Whole to limit debate on section 4; Pre-printing gets preference.	N/A.
H.J. Res. 2*	Balanced Budget	H. Res. 44	Restrictive; only certain substitutes	2R: 4D.
H. Res. 43	Committee Hearings Scheduling	H. Res. 43 (OJ)	Restrictive; considered in House no amendments	N/A.
H.R. 2*	Line Item Veto	H. Res. 55	Open; Pre-printing gets preference	N/A.
H.R. 665*	Victim Restitution Act of 1995	H. Res. 61	Open; Pre-printing gets preference	N/A.
H.R. 666*	Exclusionary Rule Reform Act of 1995	H. Res. 60	Open; Pre-printing gets preference	N/A.
H.R. 667*	Violent Criminal Incarceration Act of 1995	H. Res. 63	Restrictive; 10 hr. Time Cap on amendments	N/A.
H.R. 668*	The Criminal Alien Deportation Improvement Act	H. Res. 69	Open; Pre-printing gets preference; Contains self-executing provision	N/A.
H.R. 728*	Local Government Law Enforcement Block Grants	H. Res. 79	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 7*	National Security Revitalization Act	H. Res. 83	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 729*	Death Penalty/Habeas	N/A	Restrictive; brought up under UC with a 6 hr. time cap on amendments	N/A.
S. 2	Senate Compliance	N/A	Closed; Put on Suspension Calendar over Democratic objection	None.
H.R. 831	To Permanently Extend the Health Insurance Deduction for the Self-Employed.	H. Res. 88	Restrictive; makes in order only the Gibbons amendment; Waives all points of order; Contains self-executing provision.	1D.
H.R. 830*	The Paperwork Reduction Act	H. Res. 91	Open	N/A.
H.R. 889	Emergency Supplemental/Rescinding Certain Budget Authority	H. Res. 92	Restrictive; makes in order only the Obey substitute	1D.
H.R. 450*	Regulatory Moratorium	H. Res. 93	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 1022*	Risk Assessment	H. Res. 96	Restrictive; 10 hr. Time Cap on amendments	N/A.
H.R. 926*	Regulatory Flexibility	H. Res. 100	Open	N/A.